IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 2061 of 1996

Between:

M/s. Republic Forge Company Employees Co-op. Credit Society Ltd.,
rep. by its Secretary, M.T. Benjamin,
S/o. late Laurence Monteiro, r/o. Hyderabad.

..... PETITIONER

AND

1 M/s Republic Forge Company Limited, rep. by its Managing Director,
Moulali, Hyderabad.
2 Divisional Co-op. Officer,
Hyderabad East Division, New MLA Quarters,
Adarshnagar, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ and direct the first respondent to act in accordance with law and pay the amount which was deducted by the first respondent from the salaries of its employees towards the instalments of loan advanced by the petitioner society under Section 37 of the A.P. Co-operative Societies Act 1964 and further direct that the first respondent shall continue to deduct and pay the loan amounts of the petitioner society from the employees of the first respondent, together with interest and grant such other relief as it deems fit in the circumstances of the case.

Counsel for the Petitioner:MR.V.VENKATARAMANA

Counsel for the Respondent No.2 : GP FOR COOPERATION

Counsel for the respondent No.1: Mr. P. Nageswara Sree

The Court made the following :

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ORDER:

Heard the learned counsel appearing for both sides.

It is represented by the counsel appearing on either side that having regard to the fact that the respondent company herein already wound up under the Provisions of Companies Act, no relief as such can be granted in this Writ Petition.

Accordingly, the Writ Petition is dismissed with a liberty to the petitioner to avail any remedy available under the Companies Act. No costs.

23.11.2004

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To

1 M/s Republic Forge Company Limited, rep. by its Managing Director,
Moulali, Hyderabad.
2 Divisional Co-op. Officer,
Hyderabad East Division, New MLA Quarters,

Adarshnagar, Hyderabad.

3. 2 CCs to G.P. for Cooperation, High Court Buildings, High Court of A.P., Hyderabad. (OUT)

4. 2CD copies